

THURSDAY, OCTOBER 28, 2021

SECOND LEGISLATIVE DAY

THIRD EXTRAORDINARY SESSION

The House met at 9:00 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. Kumar.

Representative Kumar led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 93

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Cooper; illness

Representative Crawford; illness

Representative J. Sexton; illness

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 1 Rep. Leatherwood as prime sponsor.

House Joint Resolution No. 4 Rep. Freeman as prime sponsor.

House Joint Resolution No. 6 Reps. Reedy and Sparks as prime sponsors.

House Joint Resolution No. 9 Rep. Freeman as prime sponsor.

House Joint Resolution No. 12 Reps. Thompson and Dixie as prime sponsors.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution listed was introduced and referred to the appropriate Committee:

***House Joint Resolution No. 5** -- General Assembly, Statement of Intent or Position - Addresses the federal government's penalizing, or taxation of, citizens of this State through enforcement of restrictions relative to COVID-19 by supporting the challenging, condemning, and nullifying of such action. by *Sexton C, *Ragan, *Williams.

House Covid-19 Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for October 29, 2021:

***House Joint Resolution No. 14** -- Memorials, Sports - Alishia Fayth Layne. by *Cepicky.

***House Joint Resolution No. 15** -- Memorials, Sports - Coach Rob Black, 100th win as head coach of Fulton High School football team. by *Carringer.

***House Joint Resolution No. 16** -- Memorials, Death - Father Fred Dettwiller. by *Freeman.

***House Joint Resolution No. 17** -- Memorials, Recognition - Gold Star Families Memorial Marker Dedication. by *Cepicky.

***House Joint Resolution No. 18** -- Memorials, Death - Father George Frederick "Fred" Dettwiller II. by *Powell.

***House Joint Resolution No. 19** -- Memorials, Death - Sarah Hobson Stowers. by *Mannis.

***House Joint Resolution No. 20** -- Memorials, Death - Kevin Lee Cordell. by *Mitchell.

INTRODUCTION OF BILLS

On motion, the following bill was introduced and passed first consideration:

***House Bill No. 81** -- Civil Emergencies - As introduced, reduces from 60 to 30 days the duration of a declared state of emergency by the governor. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 29; Title 49; Title 50; Title 53; Title 58; Title 63 and Title 68. by *Todd, *Griffey.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1** -- Workers Compensation -- House Covid-19 Committee

***House Bill No. 2** -- Local Education Agencies -- House Elections Committee

***House Bill No. 3** -- Employees, Employers -- House Covid-19 Committee

***House Bill No. 4** -- Health Care -- House Covid-19 Committee

***House Bill No. 5** -- Local Education Agencies -- House Covid-19 Committee

***House Bill No. 6** -- Public Health -- House Covid-19 Committee

***House Bill No. 7** -- Public Health -- House Covid-19 Committee

***House Bill No. 8** -- Public Health -- House Public Health Committee

***House Bill No. 9** -- Public Funds and Financing -- House Covid-19 Committee

***House Bill No. 10** -- Students -- House Covid-19 Committee

***House Bill No. 11** -- Human Rights -- House Covid-19 Committee

***House Bill No. 12** -- Human Rights -- House Covid-19 Committee

***House Bill No. 13** -- Health Care -- House Covid-19 Committee

House Bill No. 14 -- Public Health -- House Public Health Committee

***House Bill No. 15** -- Local Education Agencies -- House Covid-19 Committee

***House Bill No. 16** -- Employees, Employers -- House Covid-19 Committee

***House Bill No. 17** -- State Government -- House Covid-19 Committee

***House Bill No. 18** -- District Attorneys -- House Judiciary Committee

- ***House Bill No. 19** -- Human Rights -- House Covid-19 Committee
- ***House Bill No. 20** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 21** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 22** -- Unemployment Compensation -- House Covid-19 Committee
- ***House Bill No. 23** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 24** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 25** -- Hospitals and Health Care Facilities -- House Covid-19 Committee
- ***House Bill No. 26** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 27** -- Public Health -- House Public Health Committee
- ***House Bill No. 28** -- Physicians and Surgeons -- House Covid-19 Committee
- ***House Bill No. 29** -- Civil Emergencies -- House Emergency Orders Committee
- ***House Bill No. 30** -- Teachers, Principals and School Personnel -- House Covid-19 Committee
- ***House Bill No. 31** -- Hospitals and Health Care Facilities -- House Covid-19 Committee
- ***House Bill No. 32** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 33** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 34** -- Education -- House Covid-19 Committee
- ***House Bill No. 35** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 36** -- Corporations, For Profit -- House Covid-19 Committee
- ***House Bill No. 37** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 38** -- Human Rights -- House Covid-19 Committee
- ***House Bill No. 39** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 40** -- Criminal Offenses -- House Covid-19 Committee
- ***House Bill No. 41** -- Criminal Offenses -- House Covid-19 Committee
- ***House Bill No. 42** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 43** -- Criminal Offenses -- House Covid-19 Committee

- ***House Bill No. 44** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 45** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 46** -- Remedies and Special Proceedings -- House Covid-19 Committee
- ***House Bill No. 47** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 48** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 49** -- Health, Dept. of -- House Public Health Committee
- ***House Bill No. 50** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 51** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 52** -- Human Rights -- House Covid-19 Committee
- ***House Bill No. 53** -- Administrative Procedure (UAPA) -- House Covid-19 Committee
- ***House Bill No. 54** -- Education -- House Covid-19 Committee
- ***House Bill No. 55** -- Criminal Offenses -- House Covid-19 Committee
- ***House Bill No. 56** -- Teachers, Principals and School Personnel -- House Covid-19 Committee
- ***House Bill No. 57** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 58** -- Local Education Agencies -- House Covid-19 Committee
- ***House Bill No. 59** -- State Government -- House Covid-19 Committee
- ***House Bill No. 60** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 61** -- Human Rights -- House Covid-19 Committee
- ***House Bill No. 62** -- Human Rights -- House Covid-19 Committee
- ***House Bill No. 63** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 64** -- Human Rights -- House Covid-19 Committee
- ***House Bill No. 65** -- Local Education Agencies -- House Covid-19 Committee
- ***House Bill No. 66** -- Public Health -- House Covid-19 Committee
- ***House Bill No. 67** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 68** -- Health Care -- House Covid-19 Committee

- ***House Bill No. 69** -- Employees, Employers -- House Covid-19 Committee
- ***House Bill No. 70** -- Appropriations -- House Finance, Ways, and Means Committee
- ***House Bill No. 71** -- District Attorneys -- House Judiciary Committee
- ***House Bill No. 72** -- Election Laws -- House Elections Committee
- ***House Bill No. 73** -- Public Funds and Financing -- House Banking Committee
- ***House Bill No. 74** -- Attorney General and Reporter -- House Judiciary Committee
- ***House Bill No. 75** -- Governor -- House Emergency Orders Committee
- ***House Bill No. 76** -- Public Health -- House Public Health Committee
- ***House Bill No. 77** -- Unemployment Compensation -- House Covid-19 Committee
- ***House Bill No. 78** -- Health Care -- House Covid-19 Committee
- ***House Bill No. 79** -- State Government -- House Covid-19 Committee
- ***House Bill No. 80** -- Health Care -- House Covid-19 Committee

PETITIONS AND MEMORIALS

The Clerk announced that Rep. Ragan filed a petition on behalf of Ms. Michelle Van Batavia.

CONSENT CALENDAR

***House Joint Resolution No. 1** -- Memorials, Recognition - The Memphis 13. by *Hardaway, *Camper, *Hakeem, *Lamar, *Lamberth, *Thompson, *Faison, *White, *Love, *Cooper, *Towns, *Shaw, *Dixie, *Mitchell, *Gant, *Johnson G, *Freeman, *Ramsey, *Moody, *Gillespie, *Hicks T, *Johnson C, *Carringer, *Beck, *Lafferty, *Campbell S, *Ragan, *Weaver, *Harris, *Sexton C, *Alexander, *Boyd, *Griffey, *Holsclaw, *Haston, *Jernigan, *Vaughan, *Farmer, *Hazlewood, *Terry, *Curcio, *McKenzie, *Chism, *Williams, *Moon, *Leatherwood.

***House Joint Resolution No. 2** -- Memorials, Retirement - Sergeant Steven Brooks. by *Moon, *Ramsey.

***House Joint Resolution No. 3** -- Memorials, Sports - Forrest High School varsity softball team, TSSAA Division I, Class AA state champions. by *Warner.

***House Joint Resolution No. 4** -- Memorials, Recognition - National Domestic Violence Awareness Month. by *Hardaway, *Camper, *Hakeem, *Lamar, *Lamberth, *Thompson, *Faison, *White, *Love, *Cooper, *Towns, *Shaw, *Dixie, *Stewart, *Gillespie, *Griffey, *Mitchell, *Gant, *Johnson G, *Garrett, *Ramsey, *Holsclaw, *Johnson C, *Carringer, *Beck, *Lafferty, *Cepicky, *Ragan, *Weaver, *Harris, *Moody, *Sexton C, *Alexander, *Hicks T, *Boyd, *Darby, *Miller, *Haston, *Terry, *Vaughan, *Farmer, *Hazlewood, *Curcio, *McKenzie, *Chism, *Moon, *Freeman.

***House Joint Resolution No. 6** -- Memorials, Recognition - Colonel Larry B. Berrong (Ret.), East Tennessee State University ROTC Hall of Fame. by *Whitson, *Boyd, *Alexander, *Moon, *Hazlewood, *Mannis, *Hicks T, *Reedy, *Sparks.

***House Joint Resolution No. 7** -- Memorials, Retirement - Waverly flood heroes. by *Reedy, *Freeman, *Sparks.

***House Joint Resolution No. 8** -- Memorials, Retirement - Mary Skinner. by *Clemmons.

***House Joint Resolution No. 9** -- Memorials, Public Service - Judith Tackett, Metro Homeless Impact Division. by *Clemmons, *Freeman.

***House Joint Resolution No. 10** -- Memorials, Recognition - Dickson County Chamber of Commerce, 100th anniversary. by *Littleton, *Curcio.

***House Joint Resolution No. 11** -- Memorials, Recognition - David Porter, SCS Alumni Hall of Fame. by *Camper, *Lamar, *Stewart, *Chism, *Miller, *Parkinson, *Hardaway, *Harris, *White, *Gillespie.

***House Joint Resolution No. 12** -- Memorials, Recognition - Judge Loyce Lambert-Ryan, SCS Alumni Hall of Fame. by *Camper, *Lamar, *Stewart, *Chism, *Miller, *Parkinson, *Hardaway, *Harris, *White, *Gillespie, *Thompson, *Dixie.

***House Joint Resolution No. 13** -- Memorials, Professional Achievement - Jim Herbert, Alumni Hall of Fame Inductee, Whitehaven High School. by *Camper, *Lamar, *Stewart, *Chism, *Miller, *Parkinson, *Hardaway, *Harris, *White, *Gillespie.

OBJECTION--CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Joint Resolution No. 7: by Rep. Reedy

Under the rules, House Joint Resolution No. 7, was placed at the heel of the calendar for October 29, 2021.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--93

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 72 and 2** to be heard in the Elections Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 9, 10, 17, 52, 30, 56, 35, 36, 37, 59, 33, 40, 41, 46, 54, 77, 78, 11, 12, 13, 55, 31, 58, 65, 16, 3, 23, 25, 44, 48, 50, 51, 53, 20, 1, 7, 6, 62, 63, 64**, and **House Joint Resolution No. 5** to be heard in the COVID-19 Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 73** to be heard in the Banking Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 8, 14 and 76** to be heard in the Public Health Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 70** to be heard in the Finance, Ways & Means Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 18, 71 and 74** to be heard in the Judiciary Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 75 and 29** to be heard in the Emergency Orders Committee this week, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 5 Rep. Ragan as Second prime sponsor.

House Joint Resolution No. 5 Reps. Williams, Weaver, Sherrell and Howell as prime sponsors.

House Joint Resolution No. 7 Reps. Freeman and Sparks as prime sponsors.

House Bill No. 2 Reps. Smith, Howell and Carr as prime sponsors.

House Bill No. 31 Reps. Beck, Ramsey, Parkinson, Chism, Shaw, Miller, Love, G. Johnson, McKenzie, Mannis, Camper, Dixie, Powell, Jernigan, Hakeem, Towns and Thompson as prime sponsors.

House Bill No. 58 Reps. Beck, McKenzie, Harris, Shaw, Miller, Hakeem, Love, G. Johnson, Camper, Dixie, Powell, Jernigan, Towns and Thompson as prime sponsors.

House Bill No. 60 Rep. Grills as prime sponsor.

House Bill No. 65 Reps. Beck, McKenzie, Harris, Shaw, Miller, Hakeem, Love, G. Johnson, Camper, Dixie, Powell, Towns, Jernigan and Thompson as prime sponsors.

House Bill No. 70 Rep. Hazlewood as Second prime sponsor.

House Bill No. 71 Rep. Campbell as Second prime sponsor.

House Bill No. 72 Rep. Cepicky as Second prime sponsor.

House Bill No. 72 Reps. Williams, Smith, Moody, Lafferty and Weaver as prime sponsors.

House Bill No. 73 Rep. Bricken as Second prime sponsor.

House Bill No. 73 Rep. Williams as prime sponsor.

House Bill No. 74 Rep. Garrett as Second prime sponsor.

House Bill No. 75 Rep. Curcio as Second prime sponsor.

House Bill No. 76 Rep. Vaughan as Second prime sponsor.

House Bill No. 76 Rep. Williams as prime sponsor.

House Bill No. 77 Rep. Zachary as Second prime sponsor.

House Bill No. 77 Reps. Campbell, Williams, Cochran, Moody, Grills, Hall and Sherrell as prime sponsors.

House Bill No. 78 Rep. Zachary as Second prime sponsor.

SPONSORS WITHDRAWN

On Motion, Rep. Todd withdrew as sponsor of **House Bill No. 60**.

MESSAGE FROM THE SENATE October 28, 2021

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 21; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 21** -- Memorials, Death - Carl R. Moore. by *Lundberg, *Crowe, *Southerland, *Akbari, *Bailey, *Bell, *Bowling, *Briggs, *Campbell, *Gardenhire, *Gilmore, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Massey, *Niceley, *Pody, *Powers, *Reeves, *Roberts, *Robinson, *Rose, *Stevens, *Swann, *Walley, *Watson, *White, *Yager, *Yarbro, *Haile, *McNally.

ENGROSSED BILLS October 28, 2021

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 1, 2, 3, 4, 6, 8, 9, 10, 11, 12 and 13;

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 93

RECESS

On motion of Rep. Gant, the House stood in recess until 9:00 a.m., Friday, October 29, 2021.